

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

THOMAS A. COLTHURST (CABN 99493)  
Assistant United States Attorney

**FOR OFFICIAL USE**

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408)-535-5065  
Fax: (408)-535-5066  
E-Mail: tom.colthurst@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ANGEL TOPETE, )  
 )  
Defendant. )  
\_\_\_\_\_ )

No. 10-CR-00824-DLJ

STIPULATION AND ☐ ORDER CONTINUING HEARING DATE

The defendant ANGEL TOPETE, represented by Peter A. Leeming, Esq., and the government, represented by Thomas A. Colthurst, Assistant United States Attorney, respectfully request that the sentencing hearing currently scheduled for May 2, 2013, be continued to May 16, 2013.

ANGEL TOPETE pleaded guilty to a two-count Superseding Information in the above-captioned matter charging him with (1) use of communication facility in causing or facilitating the commission of a felony under the Controlled Substances Act, in violation of 21 U.S.C. § 843(b), and (2) structuring currency transactions for the purpose of evading reporting

requirements, in violation of 31 U.S.C. § 5324(a)(3). He has been released and is currently on bond.

The parties are requesting that his sentencing hearing be reset to May 16, 2013, because they need more time to frame their sentencing recommendations.

No other defendants are affected by this request.

SO STIPULATED:

Dated: April 22, 2013

/S/  
Thomas A. Colthurst  
Assistant United States Attorney

Dated: April 22, 2013

/S/  
Peter A. Leeming, Esq.  
Attorney for Defendant

Accordingly, for good cause shown, the Court HEREBY ORDERS that the sentencing hearing for *United States v. Angel Topete*, scheduled for May 2, 2013, is continued to May 16, 2013, at 10:00 a.m.

DATED: 10 10 11

  
THE HONORABLE D. LOWELL JENSEN  
United States District Judge